THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 19645 of 2007

Date:17-09-2007

Between:

Sri Anand Mor

.. PETITIONER

AND

The Tahsildar, Shameerpet and another **.. RESPONDENTS**

ORDER:

Petitioner seeks a writ of mandamus to declare the action of the respondents in not issuing the pattadar pass book and title deed books in favour of the petitioner in respect of land covered in Sy.No.731/A an extent of Ac.2.32 guntas and Sy.No.731/B an extent of Ac.2.32 guntas of Shameerpet village and madnal, Ranga Reddy District, as illegal and arbitrary.

It is stated that the petitioner purchased land covered in Sy.No.731/A an extent of Ac.2.32 guntas and Sy.No.731/B an extent of Ac.2.32 guntas of Shameerpet village and madnal, Ranga Reddy District by virtue of registered sale deed, dated 23.04.2007 and after issuing the notice of 45 days calling for the objections, an order, dated 28.05.2007 has been passed in Proc.No.B/443/07 to enter the name of the petitioner as pattadar in the amendment register. But, the record of the rights and title deeds has not been given so far.

Learned Government Pleader for Revenue appearing for the respondents submits that the original owner was one Balaiah and in fact, Balaiah himself sold the property in favour of Ravinder and Ravinder is in possession and enjoyment of the said property and after the death of Balaiah, his son sold the said property and therefore, the said proceedings issued by the Mandal Revenue Officer are going to be referred to the Revenue Divisional Officer for cancellation. It is stated that the civil suit filed by the said Ravinder is pending.

I am not inclined to express any opinion with regard to the rival contentions. As long as the said proceedings are issued, there is no justification on the part of the first respondent to keep the matter pending. If the first respondent is going to refer the proceedings for

cancellation of the said order, it is open for him to issue a notice to the petitioner as well as the so called other title owner and take appropriate action. But, without taking any action, the first respondent cannot keep the matter pending.

Having regard to the facts of the case, the writ petition is disposed of directing the first respondent to take appropriate action pursuant to the orders, dated 28.05.2007 in proceedings No.B/443/07 either for giving record of rights or title deeds or for referring the same to the Revenue Divisional Officer for taking appropriate action after giving reasonable opportunity to the petitioner and other interested persons in accordance with law without any undue delay within eight weeks from the date of receipt of a copy of this order. No costs.

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V.ESWARAIAH, J.

Date:17.09.2007

ccm